

**IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF TENNESSEE  
Nashville Division**

L.W., by and through her parents and next friends, Samantha Williams and Brian Williams, *et al.*,

*Plaintiffs,*

and

UNITED STATES OF AMERICA,

*Plaintiff-Intervenor,*

v.

JONATHAN SKRMETTI, in his official capacity as the Tennessee Attorney General and Reporter, *et al.*,

*Defendants.*

**Civil No. 3:23-cv-00376**

**Judge Richardson**

**Judge Newbern**

**NOTICE OF SUPPLEMENTAL AUTHORITY**

Private Plaintiffs respectfully provide notice of *Doe v. Ladapo*, Case No. 4:23cv114-RH-MAF, 2023 WL 3833848 (N.D. Fla. June 6, 2023) (granting preliminary injunction against enforcement of a statute that prohibited doctors from providing GnRH agonists and pubertal suppression and prohibited transgender minors from receiving such treatment). In *Ladapo*, the Court considered the constitutionality of a law prohibiting the provision of gender-affirming care to adolescents that is substantially identical to the Health Care Ban, and found, among other things, that (i) the law is subject to heightened scrutiny because it discriminates on the basis of sex and transgender status but could not even survive rational basis scrutiny, (ii) Plaintiffs had a likelihood of success on their claims for violations of equal protection and due process “parental autonomy” rights, (iii) the justifications for the law offered by Defendants’ experts were “pretextual” and did

not present a “rational basis” for denying patients the option to elect treatment, (iv) one of the *Ladapo* Defendants’ experts, Dr. Paul Hruz, who Defendants also offer as an expert in this case, “testified as a deeply biased advocate, not as an expert sharing relevant evidence-based information and opinions,” and thus the Court “[did] not credit his testimony,” and (v) two of the *Ladapo* Plaintiffs’ experts, Dr. Aron Janssen and Dr. Armand Antommara, who Private Plaintiffs also offer as experts in this case, provided credible testimony that “denial of this treatment will cause needless suffering for a substantial number of patients and will increase anxiety, depression, and the risk of suicide.” Private Plaintiffs respectfully submit that the *Ladapo* court’s analysis of the law applicable to a substantially similar statute will be helpful in this Court’s analysis of the Health Care Ban.

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Dated: June 8, 2023

s/ Stella Yarbrough

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Respectfully submitted,

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### **CERTIFICATE OF SERVICE**

I hereby certify that on June 8, 2023, the undersigned filed the foregoing Notice of Supplemental Authority via this Court's electronic filing system, which sent notice of such filing to the following counsel of record:

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